

Application No. 09/432,927
Amendment dated January 11, 2006
Reply to Office Action of August 11, 2005

REMARKS

Status Of Application

Claims 1-13 are pending in the application; the status of the claims is as follows:

Claim 2 is objected to because of an informality.

Claims 1, 2, 4, 5, and 9-12 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,996,002 to Katsurabayashi ("Katsurabayashi").

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsurabayashi.

Claims 3, 6, 8, and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Amendments

Claims 1-9 and 11-13 have been amended to improve the form thereof. Claim 2 has been amended to correct a typographical error. The changes are not narrowing, are not necessitated by the prior art, and do not add new matter.

35 U.S.C. § 102(e) Rejection

The rejection of claims 1, 2, 4, 5, and 9-12 under 35 U.S.C. § 102(e) as being anticipated by Katsurabayashi, is respectfully traversed based on the following.

Claim 1 recites, *inter alia*; "synchronous type processing means for carrying out a first image process on image data that is the subject of processing" and "asynchronous type processing means for carrying out a second image process on a region of *said* image

data that is the subject of processing.” That is, claim 1 recites a structure including two processing means that each process the same image data, such that one processing means processes all the image data and the other processing means processes a portion, e.g., a region, of the image data. Claim 1 further recites a “synthesize means” that combines the outputs of the synchronous and asynchronous processing means.

It is respectfully submitted that Katsurabayashi does not disclose the structure recited in claim 1. Katsurabayashi discloses a networked collaboration system in which participants can work together through their respective computers. The computers exchange information and display the same view in a common or shared window on each computer. In a synchronous mode of operation computers 2A-D of Fig. 2 immediately send participant input to the other computers so that their respective displays are kept up to date; whereas, in an asynchronous mode of operation participant input is saved and sent at a later time.

The only Katsurabayashi disclosure regarding processing image data is that the displayed information is kept in layers. A series of layers may be combined to form a page, or may be merged into a new layer. However, no details are provided as to how the layers are combined, as to the circuitry that performs the combining, or indeed as to any other type of image processing. At best, Katsurabayashi discloses that two different layers are combined in their entirety to form a page for display. *See* Fig. 3 and column 7, lines 41-47.

Moreover, claim 1 is directed to and recites “an image processing apparatus”. That is, a single device that performs image processing. In contrast, Katsurabayashi discloses a system of networked personal computers. It is respectfully submitted that a plurality of networked personal computers is not an apparatus as claimed and described.

In view of the above comments, it is respectfully submitted that, Katsurabayashi fails to disclose synchronous type means that processes image data and asynchronous type processing means that processes a portion of the **same** image data processed by the

synchronous means as required by claim 1. Therefore, Katsurabayashi fails to disclose each element of claim 1 and cannot anticipate claim 1 under 35 U.S.C. § 102(e). Claim 2 depends from claim 1 and, therefore, distinguishes Katsurabayashi for at least the same reason as provided above in regards to claim 1.

Claim 4 recites, *inter alia*, “a first image processor formed of a hardware circuit, and carrying out a first image process on input image data” and “a second image processor carrying out a second image process on a fragment of **said** input image data according to a program of predetermined software.” That is the first image processor processes an input image and the second image processor processes a fragment of the same input image. As provided above in regards to claim 1, Katsurabayashi only discloses combining separate layers to form a display page, or merging multiple layers into a single layer.

Moreover, claim 4 requires an apparatus including two distinct processors—a hardware circuit and a software-based processor. It is respectfully submitted that Katsurabayashi does not provide any disclosure as to the use of multiple processors or that one processor is a hardware circuit and another processor is software-based.

In addition, claim 4 is directed to and recites “an image processing apparatus”. As provided above in regards to claim 1, it is respectfully submitted that this is not disclosed by Katsurabayashi.

In view of the foregoing it is respectfully submitted that Katsurabayashi is distinguished by claim 4, as well as by claim 5 which depends therefrom.

Claim 9 recites, *inter alia*, “carrying out a first image process on input image data through a hardware circuit” and “carrying out a second image process on a fragment of **the** input image data through software.” That is, the same image data is subjected to processing by a hardware circuit and by software. As provided above in respect of claims 1 and 4 these features of claim 9 is not disclosed by Katsurabayashi. It is respectfully

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submitted, therefore, that Katsurabayashi is distinguished by claim 9, as well as by claim 10 which depends therefrom.

Claim 11 recites, *inter alia*, “a synchronous-type data processing device for carrying out a first image process on image data that is the subject of processing” and “an asynchronous-type data processor for carrying out a second image process on a region of **said** image data that is the subject of processing.” That is the first and second processing device each process the same image data. As provided above in respect of claim 1 and 4, this feature of claim 11 is not disclosed by Katsurabayashi.

In addition, claim 11 is directed to and recites “an image processing apparatus”. As provided above in regards to claim 1, it is respectfully submitted that this is not disclosed by Katsurabayashi. It is respectfully submitted, therefore, that Katsurabayashi is distinguished by claim 11, as well as by claim 12 which depends therefrom.

Accordingly, it is respectfully requested that the rejection of claims 1, 2, 4, 5, and 9-12 under 35 U.S.C. § 102(e) as being anticipated by Katsurabayashi, be reconsidered and withdrawn.

35 U.S.C. § 103(a) Rejection

The rejection of claim 7 under 35 U.S.C. § 103(a), as being unpatentable over Katsurabayashi, is respectfully traversed based on the following.

Claim 7 depends from claim 4. It is respectfully submitted, therefore, that claim 7 distinguishes Katsurabayashi for at least the same reasons as provided above regarding claim 4.

Accordingly, it is respectfully requested that the rejection of claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Katsurabayashi, be reconsidered and withdrawn.

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CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.


If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

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Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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